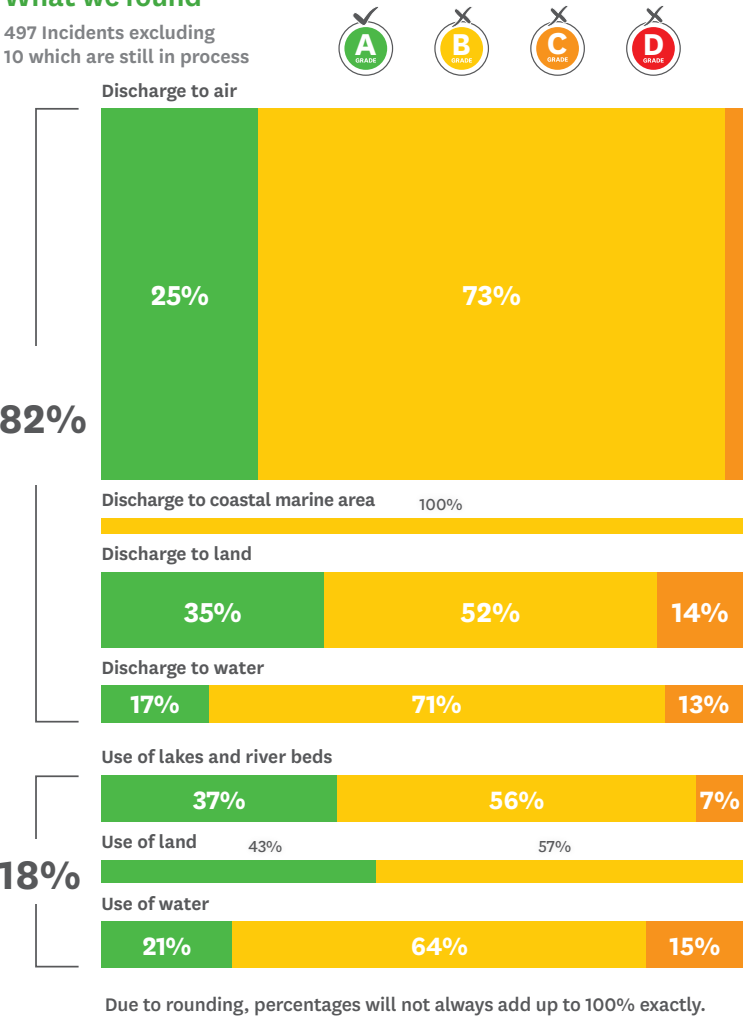


# Incident response in the Selwyn Waihora zone

We research and evaluate all incidents involving contaminants in waterways or unauthorised discharges to land or air to assess the potential environmental effects the reported incident may have.

## What we found

497 Incidents excluding 10 which are still in process



## What the grades mean

- A (Full compliance)** Full compliance with all relevant plan rules, regulations and national environmental standards
- B (Low Risk Non-Compliance)** Compliance with most of the relevant plan rules, regulations and national environmental standards. Carries a low risk of adverse environmental effects.
- C (Moderate non-compliance)** Non-compliance with some of the plan rules, relevant regulations and national environmental standards. Some environmental consequence.
- D (Significant non-compliance)** Non-compliance with many of the relevant plan rules, regulations and national environmental standards. Significant environmental consequence.

## How we respond to incidents:



Our first response is to work with individuals and businesses to stop environmental damage and achieve the right environmental outcome if there is an issue.

We then investigate to determine what action should be taken, including enforcement.



**Formal written warnings** are sent out to notify of an offence and they require action to be taken.



If it is a significant breach we may issue an **infringement notice** which includes payment of a fine.



**Abatement notices** are a formal written direction, requiring certain actions to be taken or to cease within a specified time.



Anyone can make an application to the Environment Court to issue an **enforcement order**. The court then identifies the conditions which must be satisfied before issuing the order. Breaching an enforcement order issued by the court is an offence which may lead to prosecution.



Advice and Education

77



Written Warnings

16



Infringement notices

6



Abatement notices

4



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R19/113



## Selwyn Waihora zone

# Compliance monitoring and incident response

## 2018-19 SNAPSHOT REPORT

## Hororata dairy farm convicted and fined for illegal discharge of effluent

A Hororata dairy farm has been convicted and fined \$30,000 after illegally discharging effluent onto land.

The charge related to discharging a contaminant onto land in circumstances which may result in that contaminant entering groundwater, which is prohibited under the Resource Management Act.

The court heard in February 2019 that the farm had consent to dispose of effluent to land, but due to a faulty pipe, known about by the farm's owner and manager, an effluent pond on the property overflowed 80m<sup>2</sup> down a hill before the flow was stopped by an effluent dam.

While the pond was being monitored daily by the farm manager, the overflow still occurred. A number of improvements had been made at the property since the incident.

In sentencing the company, Judge Jane Borthwick said the actions taken before the incident were not those of a prudent farmer and were negligent rather than careless.

Fines in such cases were in a band of \$40,000 to \$80,000.

From a starting point of \$40,000, she applied a 25% discount for an early guilty plea, but declined to make any discount for good character.



See inside for our consent compliance results.



See the back for our incident response results.



# Compliance monitoring

JULY 2018 – JUNE 2019   REPORT

## Why this matters

We are working with land managers, individuals and industry to improve compliance to ensure the best long-term environmental results.

### Consenting rules

- Resource consents allow people or organisations to do something that may have an effect on the environment, but this comes with conditions to protect the environment.
- It is important consent holders comply with their conditions otherwise they can have a negative impact on the environment.

### What the grades mean



**(Full compliance)** Full compliance with all relevant consent conditions, plan rules, regulations and national environmental standards



**(Low Risk Non-Compliance)** Compliance with most of the relevant consent conditions, plan rules, regulations and national environmental standards. Carries a low risk of adverse environmental effects.



**(Moderate non-compliance)** Non-compliance with some of the relevant consent conditions, plan rules, regulations and national environmental standards. Some environmental consequence. Abatement notices are typically issued when the offender doesn't co-operate or if we have reason to believe that the offence could happen again.



**(Significant non-compliance)** Non-compliance with many of the relevant consent conditions, plan rules, regulations and national environmental standards. Significant environmental consequence.

### How we respond to improve compliance grades

If there is an issue, our first response is to work with individuals and businesses to stop any immediate environmental damage.

We then investigate to determine what actions should be taken, including enforcement.



Education can achieve better outcomes and is valued by consent holders who need help. If education does not get the right results, there are a range of compliance actions as set out below:



**Formal written warnings** notify of an offence and require action to be taken.



**Infringement notices**, which include a fine, are issued for more significant breaches.



**Abatement notices** are typically issued when the offender doesn't co-operate or if we have reason to believe that the offence could happen again.



**Prosecution** is reserved for offences so serious that they warrant proceedings through the courts.

# Selwyn Waihora zone compliance results

881 Consents Monitored

747 Completed  
134 still in process



56%

## Water consents

84%

10%

21%

## Discharge – Dairy

79%

10%

8%

## Discharge – other

78%

13%

10%

## Discharge – human effluent

82%

14%

## Discharge – Stormwater

82%

13%

23%

## Land use consents

92%

6%

Due to rounding, percentages will not always add up to 100% exactly.

**Note:** In the graph the 134 consents still in process are not shown. Only data for completed monitored visits are shown.

## How we responded to improve compliance grades

Advice and Education

74



Written Warnings

79



Infringement notices

11



Abatement notices

12



Prosecutions completed

1

## Regional compliance monitoring 5,362 inspections by zone

Some consents have multiple inspections, these include those with a C or D compliance rating, as well as those identified as high-risk which are subject to more regular monitoring.

